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Action by Alice Gentry against the City of Richmond and another. There was a judgment for plaintiff, and the defendant city brings error. Affirmed.

H. R. Pollard and Geo. Wayne Anderson, for plaintiff in error.

F. T. Sutton, Jr., E. M. Roscher and P. A. L. Smith, for defendant in error.

CITY OF RICHMOND *v.* LAMBERT.

June 9, 1910.

[68 S. E. 276.]

Municipal Corporations (§ 777*)—Obstruction in Street—Injury to Pedestrian—Liability Therefor.—A step 4½ inches high and 10½ inches wide, close up to a building in front of which it is placed, and used as a means of access to it from the street, does not constitute an unlawful obstruction, and does not interfere to an appreciable or unreasonable extent with the use of the sidewalk, so as to sustain an action by a pedestrian injured by stumbling over it.

[Ed. Note.—For other cases, see *Municipal Corporations*, Cent. Dig. § 1631; Dec. Dig. § 777.* For other cases, see 12 Va.-W. Va. Enc. Dig. 907, et seq.; also 14 Id. 976.]

Error to Circuit Court of City of Richmond.

Action by one Lambert against the City of Richmond and others. There was a judgment for plaintiff, and defendant city brings error. Reversed.

H. R. Pollard and G. W. Anderson, for plaintiff in error.

John A. Lamb and S. A. Anderson, for defendant in error.

MONK et al. *v.* EXPOSITION DEEPWATER PIER CORPORATION et al.

June 9, 1910.

[68 S. E. 280.]

1. Mechanics' Liens (§ 263*)—Enforcement—Parties.—Though proper parties, in the absence of statute requiring it, subsequent incumbrancers are not necessary parties in a suit to enforce a mechanic's lien.

[Ed. Note.—For other cases, see *Mechanics' Liens*, Cent. Dig. § 476; Dec. Dig. § 263.* For other cases, see 9 Va.-W. Va. Enc. Dig. 778.]

2. Mechanics' Liens (§ 235*)—Enforcement—Limitations—Bringing in Subsequent Incumbrancers.—A suit to enforce a mechanic's

*For other cases see same topic and section NUMBER in Dec. & Am. Digs. 1907 to date, & Reporter Indexes.